

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GINA RAE HALL,

Plaintiff,

vs.

SMART & FINAL, INC., et al,

Defendants.

Case No. 2:14-cv-01716-JAD-NJK

ORDER

(IFP App - Dkt. #1)

Plaintiff Gina Rae Hall ("Plaintiff") is proceeding in this action *pro se*. Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis* and submitted a complaint on October 16, 2014.¹ This proceeding was referred to this court by Local Rule IB 1-9.

In Plaintiff's Application for Leave to Proceed *In Forma Pauperis*, in the portion of his affidavit to which she declares the information is true under penalty of perjury, Plaintiff states that her take-home pay or wages amounts to \$400 biweekly, that she has \$5,000 in a savings account; that she owns a vehicle which is paid off; that her regular monthly bills total \$490; that she has no person dependent on her for support; that she has no debts or financial obligations; and that she currently pays no rent, as she is living with her mother. Docket No. 1, at 1-2.

Pursuant to 28 U.S.C. § 1914(a) and Judicial Conference Policy, a filing fee of \$350.00, along with an administrative fee of \$50, is required to commence a civil action in federal district court. The court may authorize the commencement of an action without prepayment of fees and costs or security by a person who makes affidavit that she is unable to pay such costs or give security. *See* 28 U.S.C. § 1915(a).

¹ The Court notes that Plaintiff has filed her complaint, alleging employment discrimination and retaliation, on the Court's standard form for a complaint pursuant to 42 U.S.C. § 1983. As the Court finds that Plaintiff does not qualify to proceed *in forma pauperis*, however, the Court has not screened her complaint.

1 As noted above, Plaintiff's affidavit provides that she receives approximately \$866 per month in
2 take-home pay. Plaintiff also states that she has \$5000 in a savings account, and that her regular monthly
3 expenses total \$490. The court finds that Plaintiff has sufficient income and assets to pre-pay the costs and
4 fees of this action, and Plaintiff is ineligible to proceed *in forma pauperis*.

5 Accordingly, the Court will provide Plaintiff an opportunity to pay the filing fee of \$400, no later
6 than November 16, 2014. In the event Plaintiff fails to do so, the undersigned will recommend that her
7 application to proceed *in forma pauperis* be denied and that her claims be dismissed.

8 IT IS SO ORDERED.

9 Dated this 17th day of October, 2014.

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14 NANCY J. KOPPE
15 UNITED STATES MAGISTRATE JUDGE
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